

DOCKET FILE COPY ORIGINAL

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER, LLP

A NEW YORK LIMITED LIABILITY PARTNERSHIP

901 FIFTEENTH STREET, N.W.  
WASHINGTON, D.C. 20005-2327

425 PARK AVENUE  
NEW YORK, NY 10022-3598  
(212) 836-8000  
FAX (212) 836-8689

(202) 682-3500

FAX (202) 682-3580

NINE QUEEN'S ROAD CENTRAL  
HONG KONG  
852-2845-8989  
FAX 852-2845-3682

1999 AVENUE OF THE STARS  
LOS ANGELES, CA 90067-6048  
(310) 788-1000  
FAX (310) 788-1200

WRITER'S DIRECT DIAL NUMBER

August 17, 1998

Magalie Roman Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: MM Docket No. 98-55  
RM-9255, 9327

Dear Ms. Salas:

On behalf of North American Broadcasting Company, there is transmitted herewith an original and four (4) copies of its "Reply to Counterproposal" in the above-referenced proceeding.

Should any questions arise with regard to this matter, kindly communicate directly with the undersigned.

Very truly yours,

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER, LLP

By: \_\_\_\_\_

Bruce A. Eisen

Enclosure

OLY

BEFORE THE  
**Federal Communications Commission**

WASHINGTON, D.C. 20554

AUG 1 1998

In the Matter of: )  
 )  
Amendment of Section 73.202(b), ) MM Docket No. 98-55  
Table of Allotments, FM Broadcast Stations. ) RM-9255, 9327  
(Pleasanton, Bandera, Hondo and Schertz, Texas) )

TO: Chief, Allocations Branch

**NORTH AMERICAN BROADCASTING COMPANY**  
**REPLY TO COUNTERPROPOSAL**

North American Broadcasting Company ("NABC"), by its attorneys, hereby submits its reply to the counterproposal filed by Reding Broadcasting Company ("RBC") in the above-captioned rulemaking.<sup>1</sup> In support thereof, the following is shown:

1. NABC recited in its June 8, 1998 Comments and Counterproposal that it was an applicant for a new FM broadcast station to operate on Channel 276C2 at Karnes City, Texas.<sup>2</sup> The Karnes City allotment had been strapped with a site restriction because of the proposed allotment of Channel 276A at Bandera, Texas, which NABC had opposed in a prior rulemaking, and which had been denied by the Chief, Policy and Rules Division, in Hondo, Hollywood Park and Dilley, Texas, 13 FCC Rcd 234 (1998). NABC has maintained that it would be extremely unfair for the Commission to again consider a rulemaking proposal which would impose a

---

<sup>1</sup> The Counterproposal was placed on the Commission's Public Notice of July 31, 1998 (Report No. 2288).

<sup>2</sup> File No. ARN-960111MX.

severe site restriction at Karnes City, yet that prospect once more threatens to block a Karnes City licensee from providing optimum service to its listening area. To satisfactorily address this problem, NABC has proposed an alternate channel at Bandera and has demonstrated that FM Channel 256A could be assigned as the replacement channel for FM Channel 252A at that community. This would neutralize a Channel 276A proposal at Bandera and the concomitant Karnes City site restriction.<sup>3</sup>

2. RBC, which had requested the substitution of Channel 253C2 for Channel 252A at Pleasanton, Texas and the modification of its licensed station KBUC(FM) to specify operation on the higher power channel, has now modified its position by tendering the instant counterproposal. It requests that KBUC's community of license be changed to Schertz, Texas, and that KBUC(FM) be upgraded to operate on Channel 253C1. RBC claims that a transmitter site for its newly urged C1 upgrade would fall short of providing a 70 dBu signal to Pleasanton, so that the change of community is required. The proposed Bandera allotment, under RBC's counterproposal, would remain as Channel 276A. Accordingly, RBC's counterproposal would continue the Karnes City site restriction. NABC opposes the community of license change.

3. RBC contends that it studied its upgrade proposal with a view to possible Pleasanton transmitter site locations, but that it could not locate an existing tower of sufficient

---

<sup>3</sup> Allotting Channel 256A to Bandera would require a change to Channel 251A at Camp Wood, Texas. There is presently an outstanding construction permit authorized at that community. NABC will reimburse the Camp Wood station for the reasonable costs associated with a channel change if the construction permit is implemented. The Camp Wood permittee, La Radio Cristiana Network, Inc., has already filed comments supporting NABC's counterproposal. It is of concern that NABC's counterproposal has not been placed on the same Public Notice as RBC's.

height to accommodate a Class C1 operation that would provide principal community coverage to its community. It notes a desire by the residents of Schertz for a radio station, and casually observes that Schertz would be an attractive location to provide a first local radio service. These factors are at the heart of the counterproposal, yet RBC has unsatisfactorily addressed the criteria that could justify a KBUC community of license change.

4. The Commission should not arbitrarily accept RBC's unsupported conclusion that no workable Pleasanton transmitter site exists for C1 operation. RBC has merely submitted the untested statement of counsel without the slightest reference to the manner in which it determined the absence of a suitable site to further upgrade the station at Pleasanton. RBC was obligated, at the very least, to set forth the facts and circumstances showing why it could not operate as a Pleasanton licensee on Channel 253C1. It is abundantly clear that the prospect of greater coverage to the San Antonio, Texas Urbanized Area is the primary target of RBC's counterproposal, and its willingness to hold back facts is evidence of its actual intent. Schertz is, of course, far closer to metropolitan San Antonio than is the present KBUC community of license. RBC's failure to adequately document its alleged inability to locate a site speaks volumes about its motives.

5. Even assuming that it had adequately shown the absence of a suitable transmitter site that would have supported its revised proposal, RBC was still obliged to set forth the comparative merits of reallocating a channel to Schertz as opposed to retaining the channel at Pleasanton. Whenever a licensee seeks to change its community of license, the Commission must compare the relative needs of the existing and proposed communities for radio service.

See, Ark-Valley Broadcasting Co., Inc., 15 FCC 818, 820 (1951). The Commission generally

prefers a community without a local transmission service over a community that already has a local service. Faye and Richard Tuck, 3 FCC Rcd 5374, 5376 (1988). Nevertheless, it is well established that in making the necessary determination of need, the Commission scrutinizes several factors before it will award a first local service preference to a community in an Urbanized Area. See, RKO General, Inc. (KFRC), 5 FCC Rcd 3222 (1990); Faye and Richard Tuck, *supra*. Community of License, 4 FCC Rcd 4870 (1989), clarified, 5 FCC Rcd 7094 (1990).

6. RBC concedes the Commission's concern with the potential migration of stations from under-served rural areas to well-served urban areas. It is undoubtedly aware that it must meet the exacting standards of a successful community of license change or face the prospect of denial pursuant to Huntington Broadcasting v. FCC, 192 F2d 33 (D.C. Cir. 1951). However, any reasonable evaluation of RBC's proposal results in the conclusion that Schertz is not entitled to a preference for a first local FM service. Huntington is an exception to the Section 307(b) presumption that every separate community needs at least one local transmission service. See, e.g., Fairfield and Norwood, Ohio, 7 FCC Rcd 2377, 2378 (1992). The Commission never uncritically applies a first local service preference of the FM allotment priorities when a station seeks to reallocate its channel to a suburban community in an Urbanized Area. Here, the comparative merits of broadcasting on an upgraded channel at Pleasanton far outweigh the allotment of a C1 channel to Schertz for KBUC(FM)'s operation.

7. With regard to "signal population coverage", i.e., the degree to which the proposed Schertz station would provide service not only to the suburban community but to the adjacent metropolis, Station KBUC(FM) would provide principal-city service to all of San

Antonio and primary service to all of the San Antonio Urbanized Area. Schertz is, itself, within that Urbanized Area, and the respective populations of Schertz and the San Antonio area are 10,555 and 935,933.<sup>4</sup> In point of fact, based on population figures, proximity to San Antonio and other demographic factors, RBC has failed to adequately demonstrate that Schertz should be considered independent of San Antonio or the San Antonio Urbanized Area of which it is part.

8. Schertz may be a community for allotment purposes. However, that does not remove it from the Huntington doctrine. The Commission is here presented with a single, brief letter written by one Norma Althouse, whose letterhead designates her as the "City Secretary". It is impossible to ascertain the correspondence or discussion which prompted Ms. Althouse's answer, but she simply states her conclusion that Schertz "is very definitely separate and distinct from San Antonio". Her claim, by itself, can hardly support the removal of KBUC(FM) from Pleasanton. The size and proximity of Schertz to San Antonio clearly favors application of the Huntington doctrine even though Schertz may have its own form of government and provide certain municipal services. Reference to its "history," attached to the letter of its City Secretary, reveals nothing other than inter-dependence with San Antonio. In fact, as the general information in that history reveals, the State of Texas and the Federal Government have many agency regional offices in nearby San Antonio, so it can be presumed that there are a significant number of people who travel to San Antonio to work, despite RBC's convenient "assumption" to the contrary. Annexed hereto are the statements of a number of Schertz residents who describe

---

<sup>4</sup> 1990 United States Census. RBC does not propose a low power facility, but a high powered C1 station showing that its reallocation is intended to serve the entire Urbanized Area. Cf., Canovanas, Puerto Rico, 12 FCC Rcd 10055, 10058 (1997).

the interdependence of their community with San Antonio for traditional reasons relating to the economy of the area, work patterns and recreation/entertainment. Importantly, these individuals recite that Schertz residents perceive themselves, not simply as Schertz citizens, but rather as members of the San Antonio Urbanized Area.

9. RBC's absolutely unsupported conclusion that community leaders and residents see themselves as separate from San Antonio is unconvincing in the extreme. Who says so? Surely, the self-serving allegations of counsel cannot shore up that decisional assertion, especially in the face of the contrary statements. The Commission has held that the most important consideration under Huntington is the relationship between the specified and the central city of the Urbanized Area. Faye and Richard Tuck, supra, at 3 FCC Rcd 5377. In this case, that relationship shows that Schertz and San Antonio are the same for allotment purposes, sharing needs and interests, so that the former community's need for transmission service is satisfied by stations presently licensed to San Antonio.<sup>5</sup>

10. RBC weakly contends that it was unable to gather certain relevant data. For instance, it recites that it could not ascertain what number of Schertz residents work in the community as opposed to the larger San Antonio metropolitan area. These deficiencies are instructive and are perhaps intentional when measured against the attached statements. They take on heightened importance in light of RBC's uncandid documentation of Schertz community media. The Herald is decidedly not a Schertz newspaper. Had RBC been entirely forthcoming, it would have revealed that this weekly newspaper is published in Universal City, Texas, and not

---

<sup>5</sup> Cf. Albion, New York, DA 98-1574 (Chief, Allocations Branch, released August 14, 1998).

in Schertz, as implied. The Seguin-Gazette-Enterprise is published in Seguin, Texas, in Guadalupe County. Both publications address regional news that may include matters relating to Schertz. RBC's cavalier disregard for facts is compelling proof that it cannot escape proper application of the Huntington doctrine.

11. RBC has failed to demonstrate that the urged reallocation of KBUC(FM) to Schertz is anything other than a hoped-for move to a larger, metropolitan area. Surely, this is not a preferential arrangement to advance the requirements of Section 307(b) of the Act. The reallocation of the Pleasanton channel to Schertz should not be viewed as a first local service to the latter community, but it is equally important to note that favorable consideration of RBC's counterproposal would work a true disadvantage to Pleasanton. Not only would KBUC(FM) be removed as an existing community broadcaster, but Pleasanton would lose its sole nighttime aural service. The community would be left only with existing service from Station WBOP(AM), which is, itself, licensed to RBC. The FM allotment priorities are (1) first full-time aural service; (2) second full-time aural service; (3) first local service; and (4) other public interest matters. See, Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1982). Since it has been shown that Schertz would not truly receive a first full-time aural service, the better allotment scheme would be to retain KBUC(FM) as the only full-time aural service at Pleasanton.

12. The removal of the community's sole full-time aural service is not offset by any demonstrated public interest factor. Further, the Commission has often held that the public has a legitimate expectation that existing service will continue, and that this expectation is a factor to be weighed independently against the service benefits that might arguably result from reallocating



a channel from one community to another, regardless of whether the service removed constitutes a transmission service, a reception service, or both because adherence to the allotment criteria insures that any exchange involving a change in the community of license will be made in the public interest and not solely in the financial interests of the proponent. See, Community of License, supra, 4 FCC Rcd at para. 31. RBC's counterproposal does not offset the disruption that would be caused by the loss of an existing service at Pleasanton.

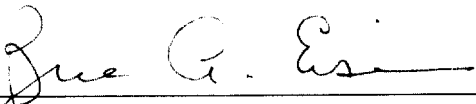
13. The Commission cannot permit its allotment priorities and policies to be compromised by an artificial and unwarranted result purely so that a licensee such as RBC may reap a future financial gain. NABC has demonstrated that its proposed substitutions at Camp Wood and Bandera would eliminate the site restriction at Karnes City that would be imposed by an allotment of Channel 276A at Bandera. Indeed, the Commission has determined that FM applications should receive protection from conflicting rulemaking proposals at the same time that they receive such protection from other mutually-exclusive applications. See, Conflicts between Applications and Petitions for Rulemaking, 7 FCC Rcd 4917 (1992). The Karnes City applications were "cut-off" long ago and well before the subject rulemaking was initiated. The site restriction caused by RBC's counterproposal does, indeed, conflict with this rulemaking, for without the latter proceeding, a Karnes City licensee would far better serve its community and listening area.

14. RBC's drastic counterproposal fails to meet the high hurdle of persuasion required and removes existing service from Pleasanton without a compelling reason to do so. It would serve only the private designs of the licensee. It also continues an onerous site restriction at Karnes City. In light of the foregoing, the Commission should adopt the solution set forth in

NABC's June 8, 1998 Comments and Counterproposal and June 23, 1998 Reply to Comments,  
and in so doing deny RBC's request to reallocate Channel 253C1 to Schertz.

Respectfully submitted,

NORTH AMERICAN BROADCASTING COMPANY

By:   
Bruce A. Eisen  
Its Attorney

KAYE, SCHOLER, FIERMAN,  
HAYS & HANDLER, LLP  
901 15th Street, N.W.  
Suite 1100  
Washington, D.C. 20005  
(202) 682-3500

August 17, 1998

**STATEMENT WITH REGARD TO SCHERTZ, TEXAS**

My name is Peggy Tate. I reside at Maple Dr in Schertz, Texas. I have been a resident of Schertz, for 20 yrs.

Schertz is a fine place to live. However, Schertz is commercially and culturally inter-dependent with the city of San Antonio, Texas, as well as the San Antonio urbanized area, of which it is a part. Most Schertz residents travel outside of the community to the San Antonio area in order to work. While there are some businesses in Schertz, most of the local residents that I know travel to the San Antonio area for recreation and entertainment. Schertz is clearly economically dependent upon San Antonio, a matter which is primarily due to the close proximity of Schertz to the larger community. Schertz residents largely perceive themselves as being a part of the San Antonio urbanized area. Indeed, San Antonio area print media and broadcast facilities already cover Schertz local needs and interests.

Respectfully submitted,

Peggy Tate

Date: Aug 12, 1998

**STATEMENT WITH REGARD TO SCHERTZ, TEXAS**

My name is Abelino Gonzalez. I reside at Route 1 Box 306 in Schertz, Texas. I have been a resident of Schertz, for 48 years.

Schertz is a fine place to live. However, Schertz is commercially and culturally interdependent with the city of San Antonio, Texas, as well as the San Antonio urbanized area, of which it is a part. Most Schertz residents travel outside of the community to the San Antonio area in order to work. While there are some businesses in Schertz, most of the local residents that I know travel to the San Antonio area for recreation and entertainment. Schertz is clearly economically dependent upon San Antonio, a matter which is primarily due to the close proximity of Schertz to the larger community. Schertz residents largely perceive themselves as being a part of the San Antonio urbanized area. Indeed, San Antonio area print media and broadcast facilities already cover Schertz local needs and interests.

Respectfully submitted,

Abelino Gonzalez

Date: Aug 12, 1998

**STATEMENT WITH REGARD TO SCHERTZ, TEXAS**

My name is Ellen Regnier. I reside at 704 Aviation Ave  
Schertz, Tx 78154 in Schertz, Texas. I have been a resident of Schertz, for  
21 yrs.

Schertz is a fine place to live. However, Schertz is commercially and culturally inter-dependent with the city of San Antonio, Texas, as well as the San Antonio urbanized area, of which it is a part. Most Schertz residents travel outside of the community to the San Antonio area in order to work. While there are some businesses in Schertz, most of the local residents that I know travel to the San Antonio area for recreation and entertainment. Schertz is clearly economically dependent upon San Antonio, a matter which is primarily due to the close proximity of Schertz to the larger community. Schertz residents largely perceive themselves as being a part of the San Antonio urbanized area. Indeed, San Antonio area print media and broadcast facilities already cover Schertz local needs and interests.

Respectfully submitted,

Ellen Regnier

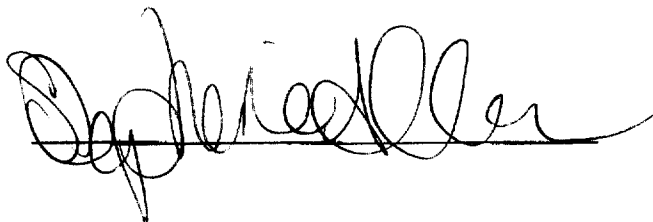
Date: 8/12, 1998

**STATEMENT WITH REGARD TO SCHERTZ, TEXAS**

My name is Stephenie Allen. I reside at 263  
Meadow View in Schertz, Texas. I have been a resident of Schertz, for  
2 yrs.

Schertz is a fine place to live. However, Schertz is commercially and culturally inter-dependent with the city of San Antonio, Texas, as well as the San Antonio urbanized area, of which it is a part. Most Schertz residents travel outside of the community to the San Antonio area in order to work. While there are some businesses in Schertz, most of the local residents that I know travel to the San Antonio area for recreation and entertainment. Schertz is clearly economically dependent upon San Antonio, a matter which is primarily due to the close proximity of Schertz to the larger community. Schertz residents largely perceive themselves as being a part of the San Antonio urbanized area. Indeed, San Antonio area print media and broadcast facilities already cover Schertz local needs and interests.

Respectfully submitted,



Date: 8/12, 1998

**STATEMENT WITH REGARD TO SCHERTZ, TEXAS**

My name is Mamie Sanderson. I reside at 1056  
Richmond Dr. in Schertz, Texas. I have been a resident of Schertz, for  
44<sup>1/2</sup> years.

Schertz is a fine place to live. However, Schertz is commercially and culturally inter-dependent with the city of San Antonio, Texas, as well as the San Antonio urbanized area, of which it is a part. Most Schertz residents travel outside of the community to the San Antonio area in order to work. While there are some businesses in Schertz, most of the local residents that I know travel to the San Antonio area for recreation and entertainment. Schertz is clearly economically dependent upon San Antonio, a matter which is primarily due to the close proximity of Schertz to the larger community. Schertz residents largely perceive themselves as being a part of the San Antonio urbanized area. Indeed, San Antonio area print media and broadcast facilities already cover Schertz local needs and interests.

Respectfully submitted,

Mamie Sanderson

Date: 8-12-98 1998

**STATEMENT WITH REGARD TO SCHERTZ, TEXAS**

My name is LINDA MARTIN. I reside at 201 Meadow  
View Dr. in Schertz, Texas. I have been a resident of Schertz, for  
3 years.

Schertz is a fine place to live. However, Schertz is commercially and culturally inter-dependent with the city of San Antonio, Texas, as well as the San Antonio urbanized area, of which it is a part. Most Schertz residents travel outside of the community to the San Antonio area in order to work. While there are some businesses in Schertz, most of the local residents that I know travel to the San Antonio area for recreation and entertainment. Schertz is clearly economically dependent upon San Antonio, a matter which is primarily due to the close proximity of Schertz to the larger community. Schertz residents largely perceive themselves as being a part of the San Antonio urbanized area. Indeed, San Antonio area print media and broadcast facilities already cover Schertz local needs and interests.

Respectfully submitted,

Linda L. Martin

Date: 8-12, 1998



**STATEMENT WITH REGARD TO SCHERTZ, TEXAS**

My name is Jerry C. Sessions. I reside at 301 Schertz Hwy #5  
Live Oak Apartment in Schertz, Texas. I have been a resident of Schertz, for  
1 year.

Schertz is a fine place to live. However, Schertz is commercially and culturally inter-dependent with the city of San Antonio, Texas, as well as the San Antonio urbanized area, of which it is a part. Most Schertz residents travel outside of the community to the San Antonio area in order to work. While there are some businesses in Schertz, most of the local residents that I know travel to the San Antonio area for recreation and entertainment. Schertz is clearly economically dependent upon San Antonio, a matter which is primarily due to the close proximity of Schertz to the larger community. Schertz residents largely perceive themselves as being a part of the San Antonio urbanized area. Indeed, San Antonio area print media and broadcast facilities already cover Schertz local needs and interests.

Respectfully submitted,

Jerry C. Sessions

Date: 8/12/98, 1998

**STATEMENT WITH REGARD TO SCHERTZ, TEXAS**

My name is MARLA JONES. I reside at 1316 CHESTNUT DR in Schertz, Texas. I have been a resident of Schertz, for 2 yrs.

Schertz is a fine place to live. However, Schertz is commercially and culturally interdependent with the city of San Antonio, Texas, as well as the San Antonio urbanized area, of which it is a part. Most Schertz residents travel outside of the community to the San Antonio area in order to work. While there are some businesses in Schertz, most of the local residents that I know travel to the San Antonio area for recreation and entertainment. Schertz is clearly economically dependent upon San Antonio, a matter which is primarily due to the close proximity of Schertz to the larger community. Schertz residents largely perceive themselves as being a part of the San Antonio urbanized area. Indeed, San Antonio area print media and broadcast facilities already cover Schertz local needs and interests.

Respectfully submitted,

Marla G. Jones

Date: 8-12, 1998

**STATEMENT WITH REGARD TO SCHERTZ, TEXAS**

My name is Julie Barker. I reside at 1020  
Williamsburg Dr in Schertz, Texas. I have been a resident of Schertz, for  
4 yrs.

Schertz is a fine place to live. However, Schertz is commercially and culturally inter-dependent with the city of San Antonio, Texas, as well as the San Antonio urbanized area, of which it is a part. Most Schertz residents travel outside of the community to the San Antonio area in order to work. While there are some businesses in Schertz, most of the local residents that I know travel to the San Antonio area for recreation and entertainment. Schertz is clearly economically dependent upon San Antonio, a matter which is primarily due to the close proximity of Schertz to the larger community. Schertz residents largely perceive themselves as being a part of the San Antonio urbanized area. Indeed, San Antonio area print media and broadcast facilities already cover Schertz local needs and interests.

Respectfully submitted,

Julie L. Barker

Date: 8/12/98, 1998

**STATEMENT WITH REGARD TO SCHERTZ, TEXAS**

My name is Delores Keller. I reside at ~~32~~ 501  
Mitchell in Schertz, Texas. I have been a resident of Schertz, for  
32.

Schertz is a fine place to live. However, Schertz is commercially and culturally inter-dependent with the city of San Antonio, Texas, as well as the San Antonio urbanized area, of which it is a part. Most Schertz residents travel outside of the community to the San Antonio area in order to work. While there are some businesses in Schertz, most of the local residents that I know travel to the San Antonio area for recreation and entertainment. Schertz is clearly economically dependent upon San Antonio, a matter which is primarily due to the close proximity of Schertz to the larger community. Schertz residents largely perceive themselves as being a part of the San Antonio urbanized area. Indeed, San Antonio area print media and broadcast facilities already cover Schertz local needs and interests.

Respectfully submitted,

Delores Keller

Date: 8-12, 1998

08/14/98 13:09 FAX 2108865299

EQUAL ACCESS

003

PAGE 2

FILE No. 702 08/14 '98 11:09 ID:MINTON BURTON

512 479 8315

**STATEMENT WITH REGARD TO SCHERTZ, TEXAS**

My name is MARY SUE FLEMING. I reside at 2825 BERRY PATCH in Schertz, Texas. I have been a resident of Schertz, for 8 MONTHS.

Schertz is a fine place to live. However, Schertz is commercially and culturally interdependent with the city of San Antonio, Texas, as well as the San Antonio urbanized area, of which it is a part. Most Schertz residents travel outside of the community to the San Antonio area in order to work. While there are some businesses in Schertz, most of the local residents that I know travel to San Antonio area for recreation and entertainment. Schertz is clearly economically dependent upon San Antonio, a matter which is primarily due to the close proximity of Schertz to the larger community. Schertz residents largely perceive themselves as being a part of the San Antonio urbanized area. Indeed, San Antonio area print media and broadcast facilities already cover Schertz local needs and interests.

Respectfully submitted,

Mary Sue FlemingDate: Aug. 14, 1998

**CERTIFICATE OF SERVICE**

I, Toni R. Daluge, a secretary in the law offices of Kaye, Scholer, Fierman, Hays & Handler, LLP, do hereby certify that on this 17th day of August, 1998, a copy of the foregoing "Reply to Counterproposal of North American Broadcasting Company" was sent via regular United States mail, postage prepaid, to the following:

Mark N. Lipp, Esq.  
Shook, Hardy & Bacon  
801 Pennsylvania Ave, N.W.  
Washington, D. C. 20004


Gene A. Bechtel, Esq.  
Bechtel & Cole, Chartered  
1901 L Street, N.W.  
Suite 250  
Washington, D.C. 20036

Henry E. Crawford, Esq.  
1150 Connecticut Ave, N.W.  
Suite 900  
Washington, D.C. 20036

Barry Wood, Esq.  
Wood, Maines & Brown  
1827 Jefferson Place, N.W.  
Washington, D.C. 20037

James G. Withers  
1921 Crampton Court  
Chesterfield, Missouri 63017

Peter Tannenwald, Esq.  
Irwin, Campbell & Tannenwald, P.C.  
1730 Rhode Island Ave, N.W.  
Suite 200  
Washington, D.C. 20036

  
Toni R. Daluge